

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

SUSAN BOLEY,

Plaintiff,

v.

Civil Action No. 2:13-cv-14404

JAMES PRINCE, individually and in
his official capacity as a staff member
of The West Virginia Regional Jail and
Correctional Facility Authority,
CHIEF CORRECTIONAL OFFICER LT. LARRY BUNTING,
individually and in his official capacity,
THE WEST VIRGINIA REGIONAL JAIL AND
CORRECTIONAL FACILITY AUTHORITY
an agency of the State of West Virginia, and
JOHN DOE, unknown person or persons,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending is defendant John Doe's motion to dismiss,
filed November 8, 2013.¹

Discovery has been underway in this action since
August 2013. The deadline to amend pleadings expired on

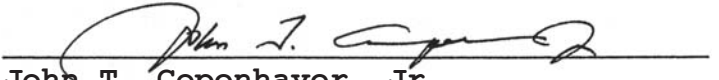
¹ While the John Doe defendant(s) have not appeared, counsel M. Andrew Brison has moved on their behalf for dismissal. In the interests of expedience, and lacking any objection from plaintiff's counsel, Mr. Brison is deemed authorized to appear specially in order to seek dismissal of the John Doe defendants.

September 20, 2013. The John Doe defendant(s) have neither been identified nor served with a summons.

Based upon these considerations, and that the plaintiff has not opposed the relief requested, it is ORDERED that the motion to dismiss be, and hereby is, granted. It is further ORDERED that the John Doe defendant(s) be, and hereby are, dismissed from this action.

The Clerk is directed to forward copies of this order to all counsel of record and any unrepresented parties.

DATED: December 4, 2013


John T. Copenhaver, Jr.
United States District Judge